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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

October 9, 1997

EX PARTE

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, NW, Room 222
Washington, DC 20554

EX PARTE OR LATE FILED

RE: Amendment of the Commission's Rules to Provide for Unlicensed
NII/SUPERNet Operations in the 5 GHz Frequency Range
(ET Docket No. 96-102)

Dear Mr. Caton:

On Wednesday, October 8, 1997, Michael Kozlowski and I, on behalf of AirTouch Communications, met with Tom Derenge, Charles Iseman, and Julius Knapp to discuss issues relating to this proceeding. Please associate the attached material with the above-referenced proceeding.

Two copies of this notice are being submitted to the Secretary of the FCC in accordance with Section 1.1206(a)(1) of the Commission's Rules.

Please stamp and return the provided copy to confirm your receipt. Please contact me at 202-293-4957 should you have any questions or require additional information concerning this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Donna L. Bethea", written over a circular stamp.

Donna L. Bethea

Attachment

cc: Tom Derenge
Charles Iseman
Julius Knapp

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AIRTOUCH COMMUNICATIONS, INC.

**Opposition to Petitions for Reconsideration:
Amendment of the Commission's Rules to Provide for
Unlicensed NII/SUPERNet Operations
in the 5 GHz Frequency Range
U-NII Order, FCC 97-5 (Jan. 9, 1997)**

Donna L. Bethea
Michael A. Kozlowski
October 8, 1997



Background on MSS

- June 1991 Globalstar submits Mobile Satellite Service (MSS) applications.
- WARC - 1992 The US achieves international allocation of MSS service link spectrum in the 2 GHz band.
- Early 1993 The FCC and industry begin working toward the international allocation of MSS feeder link spectrum.
The FCC begins the licensing process for the big LEO service link spectrum; feeder link spectrum awaits international allocation.
- May 1995 WINForum and Apple petition the FCC for a Rulemaking to allocate the 5 GHz band and adopt service rules for a shared unlicensed personal radio network.
- WRC - 95 The US industry and government are successful in winning a global allocation of MSS feeder link spectrum in the 5091-5250 MHz band.
- 1997 AirTouch's initial feeder link gateway sites and equipment commitments already exceed \$60M.
Globalstar to launch its initial satellites.
-



Key Operational Parameters from Order

In the 5150 - 5250 MHz band:

- **NO** outdoor use
- 10 mW/MHz EIRP density limit (50 mW/20 MHz with a maximum antenna gain of 6 dBi)
- Out-of-band emissions attenuation greater than 37 dBc for all three bands (and 27 dBc for the bands 5140 - 5150 and 5350 - 5360 MHz).

AirTouch reiterates that, "...an increase in a given parameter may require a proportional decrease in another operational constraint in order to prevent an aggregate interference increase."¹

¹ *Opposition of AirTouch Communications, Inc. to Petitions for Reconsideration* (April 1, 1997), in the matter of the U-NII Order (ET Docket No. 96-102).



Comments on WINForum ExParte

- Cross-band devices: **NO** outdoor use
 - Out-of-band emissions: may be stated as an absolute (not relative) limit but should not be relaxed
 - EIRP limit: may be stated as a density function but should not include a 3 dB tolerance
 - Power measurement: should be consistent with actual interference potential, i.e. the peak output power over the transmit burst duration
 - U-NII device definition may be more specific on digital modulation requirement but should pertain to fixed or transportable units, and not mobile units
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Summary

- Development of Globalstar system is near completion.
 - Design parameters have been finalized
 - Significant investments have already been made in equipment **NOW** being deployed
 - U-NII devices still under development

- Key parameters of SUPERNet devices must be maintained to limit interference into NGSO MSS feeder links

- Any further rule modifications should not change the interference potential from U-NII devices into NGSO MSS feeder links